

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WISCONSIN**

CHRIS STREETER,
Plaintiff,

v.

Case No. 07-C-299

CANADIAN PACIFIC RAILROAD,
SOO LINE RAILROAD and
CP RAIL SYSTEMS,
Defendants.

ORDER

Plaintiff filed this case on March 27, 2007. Pursuant to Fed. R. Civ. P. 4(m) plaintiff had 120 days from filing within which to effect service of the complaint upon defendants. Plaintiff effected service on defendant Soo Line Railroad within the allotted period and such defendant answered on May 25, 2007. However, the 120-day period expired on July 25, 2007, and no proof of service of defendants Canadian Pacific Railroad or CP Rail Systems has been submitted to the court to date. As such, Rule 4(m) and Civil L.R. 41.1 allow me to dismiss such defendants upon my own initiative. This order gives plaintiff a brief extension to secure service on the remaining defendants and file appropriate proof thereof, after which I will dismiss them.

THEREFORE IT IS ORDERED that plaintiff has twenty (20) days from the date of this order within which to serve defendants Canadian Pacific Railroad or CP Rail Systems and file proof of that service with the clerk of court. Plaintiff is hereby put on notice that if

he fails to comply with this order defendants Canadian Pacific Railroad or CP Rail Systems will be dismissed from the case.

Dated at Milwaukee, Wisconsin, this 31 day of July, 2007.

/s _____
LYNN ADELMAN
District Judge